

# SHAW KELLER

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Karen E. Keller

I.M. Pei Building  
1105 North Market Street, 12<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 298-0702  
kkeller@shawkeller.com

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**BY CM/ECF & HAND DELIVERY**

The Honorable Colm F. Connolly  
U.S. District Court for the District of Delaware  
J. Caleb Boggs Federal Building  
844 N. King Street  
Wilmington, DE 19801

Re: *CareDx, Inc., v. Eurofins Viracor, Inc.*, C.A. No. 19-1804-CFC;  
*CareDX, Inc. v. Natera, Inc.*, C.A. No. 19-567-CFC

Dear Judge Connolly:

Defendant Eurofins Viracor, Inc. (“Eurofins”) submits this letter to request a status conference in the above-referenced case No. 1804, to discuss this and another case that Plaintiff CareDX has pending before this Court.

In a case filed earlier this year, No. 0567, the same Plaintiff, CareDx, Inc. (“CareDX”), sued Natera, Inc. (“Natera”), alleging infringement of the same patent at issue in this case, U.S. Patent No. 8,703,652 (“the ’652 Patent”), as well as asserted an additional patent against Natera. Natera moved to dismiss, *inter alia*, on the ground that the ’652 patent is invalid as claiming unpatentable subject matter under Section 101 of the Patent Act. (No. 1:19-cv-00567-CFC, D.I. 9, 10, 15, 19). That motion has been briefed and referred to Magistrate Judge Burke for hearing on October 30, 2019. (*Id.*, D.I. 26).

Eurofins filed on Wednesday a motion to dismiss in No. 1804, also on the ground that the ’652 patent is invalid as claiming unpatentable subject matter under Section 101. We respectfully seek a status conference to discuss whether a combined hearing would be more efficient, practical and conserve judicial resources. We reached out to counsel for the other parties, but did not wish to delay this advice to the Court further awaiting their positions.

We thus respectfully request that a status conference be held to work out an appropriate order addressing the hearing on the pending motions in both cases.

The Honorable Colm F. Connolly

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Respectfully submitted,

*/s/ Karen E. Keller*

Karen E. Keller (No. 4489)

cc: All counsel of record (by CM/ECF & e-mail)  
Clerk of Court (by hand delivery)